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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DINA KANG,

Petitioner,

v.

PETER D. KEISLER,** Acting Attorney
General,

Respondent.

No. 04-72820

Agency No. A95-390-830

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted October 19, 2007***
San Francisco, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Peter D. Keisler is substituted for his predecessor, Alberto R. Gonzales, as Acting Attorney General of the United States, pursuant to Federal Rule of Appellate Procedure 43(c)(2).

*** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Before: KLEINFELD and RAWLINSON, Circuit Judges, and RESTANI,^{****}
Judge.

Dina Kang has appealed the denial of her asylum petition.

The evidence Kang presented does not compel a finding of past persecution. Although Kang has suffered harassment and discrimination, the adversities she has suffered do not rise to the level of “persecution.”¹

The evidence also does not compel a finding of well-founded fear of future persecution. Although Kang credibly testified that she subjectively genuinely feared persecution, she must also show credible, specific evidence that support a reasonable fear of persecution. To do this, Kang could show either "a pattern or practice of persecution of people similarly situated"² or that she "is a member of a disfavored group coupled with a showing that she, in particular, is likely to be

^{****} The Honorable Jane A. Restani, Chief Judge, United States Court of International Trade, sitting by designation.

¹ See Fisher v. INS, 79 F.3d 955, 961 (9th Cir. 1996) (en banc).

² See Knezevic v. Ashcroft, 367 F.3d 1206, 1213 (9th Cir. 2004).

targeted as a member of that group."³ Kang's evidence may support a likelihood of harassment and discrimination similar to what she suffered before, but there is no evidence to show that her fear of future "persecution" is well founded.

PETITION DENIED.

³ See Sael v. Ashcroft, 386 F.3d 922, 925 (9th Cir. 2004).